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14 CITY OF ALAMEDA  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

18 ANTONIO EVERETT and VALERIE CLEM, ) Case No. C 05-03546 MJJ  
19 )  
Plaintiffs, ) **STIPULATION AND [PROPOSED] ORDER**  
vs. ) **RE: CONTINUING JOINT CASE**  
 ) **MANAGEMENT STATEMENT.**  
20 )  
CITY OF ALAMEDA, DOE POLICE ) Case Management  
OFFICERS 1 THROUGH 10, individually and ) Conference Date: June 20, 2006  
in their capacity as members of the Police ) Time: 2:00 p.m.  
Department for the City of Alameda, ) Courtroom: 11, 19<sup>th</sup> Floor  
Defendants. ) San Francisco, CA  
21 ) Honorable Martin J. Jenkins  
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1 The parties hereby submit the following stipulation and proposed order continuing the Joint  
2 Case Management Conference from June 20, 2006 until August 22, 2006. Good cause exists for this  
3 stipulation and proposed order in that counsel for plaintiffs has advised counsel for the defendant that  
4 following his review of relevant documents provided by the defendant about the facts of the case he  
5 is prepared to recommend to his clients that they dismiss the case in its entirety and with prejudice  
6 with each side bearing their own fees and costs.

Counsel for the plaintiffs needs additional time to meet in person with his clients to discuss his recommendation and to prepare the necessary stipulation and order of dismissal. And the clients may need additional time to review his recommendation and make a decision based on his recommendation. Counsel for the defendant also needs additional time because he plans on attending his oldest daughter's graduation from UC San Diego which is scheduled to occur Monday, June 19, 2006 and he will not be back in the office until Thursday, June 22, 2006. Counsel for the defendant also will be out of the country July 7<sup>th</sup> through July 21 and will be taking his middle daughter to college in Seattle July 31 and August 1. If for some reason the plaintiffs do not decide to dismiss, then the parties will need one week to prepare the necessary joint case management conference statement before the next Case Management Conference.

| So stipulated:

DATED: June 14, 2006

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/s/  
WALTER L. DAVIS  
Attorney for Plaintiffs

DATED: June 14, 2006

/s/  
GREGORY M. FOX  
Attorney for Defendant City of Alameda

**STIPULATION AND PROPOSED ORDER RE CONTINUING CMC**

1                           **[PROPOSED] ORDER**

2                           Good cause appearing the stipulation is So Ordered. The case management conference  
3 scheduled for June 20, 2006 is continued to August 22, 2006. If the case is not dismissed before that  
4 date, a new joint case management conference statement shall be filed on or before August 15, 2006.

5                           DATED: June 16 , 2006

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8                           MARTIN J. JENKINS  
9                           UNITED STATES DISTRICT COURT JUDGE

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1 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
2 "conformed" signature (/s/) within this e-filed document.

3 Dated: June 14, 2006

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\_\_\_\_\_ /s/  
GREGORY M. FOX